

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: C.R. BARD, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	MDL NO. 2187
IN RE: AMERICAN MEDICAL SYSTEMS, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	MDL NO. 2325
IN RE: BOSTON SCIENTIFIC, PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	MDL NO. 2326
IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	MDL NO. 2327
IN RE: COOPLAST PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	MDL NO. 2387
IN RE: COOK MEDICAL, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	MDL NO. 2440
IN RE: NEOMEDIC PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	MDL NO. 2511

THIS DOCUMENT RELATES TO ALL CASES

SUPPLEMENT TO MOTION FOR APPROVAL OF QUALIFIED SETTLEMENT FUND

On August 2, 2019, Wexler Wallace, LLP (“Wexler Wallace”), as counsel for certain plaintiffs in this MDL Nos. 2327, 2187, 2325, 2326, 2387, 2440, and 2511 (“the Pelvic Mesh MDLs”), moved the Court for entry of an Order approving of the Wexler Wallace LLP TVM Client Settlement Fund (the “Fund”) to aid in the efficient processing and administration of one or more anticipated settlements of Pelvic Mesh claims that are the subject of these MDLs.

In its Motion for Approval of Qualified Settlement Fund (“Motion”), Wexler Wallace referred to an “Attachment 1”—listing defendants and their related entities—that was appended to the end of the Motion, instead of being attached as a separate exhibit thereto. [See MDL No. 2327 at Dkt. No. 8469; MDL No. 2187 at Dkt. No. 7377; MDL No. 2325 at Dkt. No. 7455; MDL No.

2326 at Dkt. No. 8236; MDL No. 2387 at Dkt. No. 2587; MDL No. 2440 at Dkt. No. 747; and MDL No. 2511 at Dkt. No. 254]. Additionally, the Motion referenced an Escrow Agreement governing the QSF Fund at Signature Bank in Chicago, Illinois. *Id.* Wexler Wallace, the Fund Administrator, and Signature Bank have all reviewed and approved the Escrow Agreement, which is consistent with similar escrow agreements that have been entered by this Court, as well as those entered by other courts overseeing multi-district litigations.

In supplement to their Motion, Wexler Wallace attaches hereto the following exhibits:

- **Exhibit 1:** “Attachment 1” – listing defendants and their related entities; and
- **Exhibit 2:** the Escrow Agreement governing the Fund.¹

For the reasons stated in its Motion, Wexler Wallace LLP respectfully requests that the Court approve the establishment of the Fund as a qualified settlement fund, and enter an Order in the form previously submitted.

Dated: August 14, 2019

Respectfully submitted,

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¹ Attached hereto is the Escrow Agreement in its final, agreed, but unexecuted form.